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1 IN THE UNITED STATES DISTRICT COURT

2 FOR THE EASTERN DISTRICT OF VIRGINIA

3 Alexandria Division

4 - - - - - - - - - - - - - - -x

5 ROBERTO CLAROS, :
6 et al., :
7 Plaintiffs, :
8 v. : Civil Action No.
9 SWEET HOME : 1:16-cv-344-AJT-MSN
10 IMPROVEMENTS, Inc., :
11 et al., :
12 Defendants. :
13 - - - - - - - - - - - - - - -x
14
15 Deposition of MYUNG KWAN KOO, Corporate Designee
16 Falls Church, Virginia
17 Tuesday, August 16, 2016
18 10:25 a.m.
19
20 Job No.: 117898
21 Pages: 1 - 248
22 Reported By: Roanna L. Ossege



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1 we failed two times.

2 And then the other thing -- most important
3 thing is master bathroom. He worked here.

4 MR. MARRITZ: The witness is holding up a
5 video on his cell phone.

6 THE WITNESS: Yeah.

7 MR. HUH: Can I see it?

8 THE WITNESS: Can you see this?

9 MR. MARRITZ: Mr. Koo, if that's a video of
10 one of the work sites, we have not seen that video
11 in discovery, and we'd certainly like to have a look
12 at it before --

13 THE WITNESS: This one is after disappear --
14 disappear him. And master bathroom, he moved all of
15 the plumbing and started leaking like this. Water
16 leaking problem. Lot of problem here. A lot.

17 MR. MARRITZ: This is the first time I've
18 seen or heard of this video.

19 THE WITNESS: Yeah, this video --

20 MR. MARRITZ: Okay. There's another video.
21 How many videos --

22 MR. HUH: There's another video?

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1 MR. HUH: Is the video coming off, like, the
2 thingy that you saved, or is it coming off the
3 inside of your phone? Is it coming off of some sort
4 of an e-mail chat group, or is it coming off your
5 phone?

6 A This one is phone. Text message or phone,
7 he send me. So I remember this, you know.

8 MR. HUH: Can I see? Is this some sort of
9 -- or is that messages?

10 THE WITNESS: Just message. Text message.

11 MR. HUH: Do you want to see it?

12 MR. MOSHENBURG: I only want to see it if by
13 seeing it we're not waiving our right to have it
14 produced.

15 MR. HUH: Absolutely.

16 MR. MOSHENBERG: All right. From 2016.

17 Wife new phone.

18 THE WITNESS: Most important thing is after
19 this customer kick out our company and then just to
20 this one -- finish, I can have \$18,000. We lost
21 \$18,000. Okay. More than him -- and disappear.

22 And he doesn't respond to any of my, you know -- I

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1 was calling, calling, calling, calling to him, and
2 he disappear. He said he has to go to hospital and
3 disappear and gone.

4 Yeah, this one -- look at this. This
5 electric wall, we had a problem so --

6 MR. MARRITZ: I mean, I don't know how the
7 poor court reporter is going to note all of these.

8 MR. MOSHENBERG: She's doesn't.

9 MR. MARRITZ: Good.

10 MR. MOSHENBURG: That's why this all needs
11 to be produced in discovery.

12 MR. MARRITZ: This all needs to be produced
13 in evidence.

14 THE WITNESS: This one is that Ferguson
15 house. You know, this picture.

16 BY MR. MARRITZ:

17 Q Mr. Koo, it looks like those pictures were
18 sent to you from your wife's new phone; is that
19 correct?

20 A Yes.

21 Q When did she send those pictures and that
22 video to you?

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1 A This one?

2 Q Yes.

3 A Today. I needed -- I ask her and -- please
4 bring -- send -- if you can keep the record, send
5 me. And I have to answer for you. So that much,
6 here it is.

7 Q Did you search your wife's phone when we
8 sent you document requests and interrogatories on
9 May 4th?

10 A So at that time, unfortunately, we didn't
11 find this, because my old phone gone. So my wife
12 thought all information is gone. But we found
13 several he reported before leave there, and she text
14 Jose -- no, no, Jose -- or, you know, some of the --
15 these kind of thing come out. So she said this
16 one -- I found this. You know?

17 MR. HUH: When was that?

18 Q When did she find this information?

19 A This information is just a few days.

20 MR. HUH: Looking at what?

21 MR. MARRITZ: These photographs that he's
22 showing us here that -- he says that he found these

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1 -- that his wife found -- was able to get these off
2 of her cell phone a few days ago. This is certainly
3 the first time that we ever heard of them.

4 THE WITNESS: Yeah, yeah, a few days ago she
5 found this.

6 BY MR. MARRITZ:

7 Q Does your wife have a new phone or is this
8 the phone that she's had since 2015?

9 A No. She has old phone now, you know. She
10 has old phone. That's why little bit of a record.
11 She can have it. She changed some phone, but this
12 phone is new phone.

13 MR. HUH: Record where? What is he talking
14 about? What record is he talking about that his
15 wife is pulling this from? Is it her phone?

16 MR. MARRITZ: Yeah. When did your wife get
17 her --

18 MR. HUH: Some folder or something?

19 THE WITNESS: Her phone. Her phone.

20 Q How long has she had her current phone?

21 A Long time. A long time.

22 Q Okay. Like how long? Years and years, or

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1 days and days?

2 A Two or three years. I don't know.

3 Q Two or three years. Okay. So obviously --

4 did she have her phone during all of last year, for
5 example?

6 A Yes, but very limited -- all information
7 is -- I kept this phone -- my phone -- was my phone.

8 But some of the pictures -- very big issue, big
9 problem. I cannot have \$18,000 -- this kind of
10 issue. Sometimes I ask her, keep this picture.

11 That time, you know --

12 Q So that was your back-up system for
13 important information --

14 A Yes.

15 Q -- you would just text it to your wife's
16 phone?

17 A Yes, that's true.

18 Q Thank you. Let's see. And, Mr. Koo, would
19 Hector report his hours of work to you?

20 A Yes.

21 Q Okay. How did he report his hours to you?

22 A Mostly text message.